

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MILDRED PEREZ,</b>	:	<b>CIVIL ACTION NO. 1:20-CV-1628</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>KILOLO KIJAKAZI, Acting Commissioner of Social Security,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 27th day of October, 2021, upon consideration of the report (Doc. 21) of Magistrate Judge Martin C. Carlson, recommending that the court vacate the decision of the administrative law judge denying plaintiff Mildred Perez’s claim for disability insurance benefits and supplemental security income, and the court noting the Acting Commissioner of Social Security has not objected to the report, see FED. R. CIV. P. 72(b)(2), and noting further that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford “reasoned consideration” to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory

committee notes, and, following an independent review of the record, the court being in agreement with Judge Carlson's analysis, and concluding there is no clear error on the face of the record, it is hereby ORDERED that:

1. Magistrate Judge Carlson's report (Doc. 21) is ADOPTED.
2. The Clerk of Court shall enter judgment in favor of Perez and against the Acting Commissioner as set forth in the following paragraph.
3. The Commissioner's decision is VACATED and this matter is REMANDED to the Acting Commissioner with instructions to conduct a new administrative hearing, develop the record fully, and evaluate the evidence appropriately in accordance with this order and the report (Doc. 21) of Magistrate Judge Carlson.
4. The Clerk of Court shall thereafter CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner  
United States District Judge  
Middle District of Pennsylvania